



10:30 AM Meeting with Ecology

Asher, Chance (ECY)

to:

Matthew Szelag, Niemi, Cheryl (ECY), Lisa Macchio

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3 Attachments



EPA\_SMS preliminary comments 2-10-12\_Ecology\_Responses.docx Cleanup Standards.docx



WAC 173-204 SMS Revisions\_Advisory Group Preliminary Draft\_\_Nov\_2011.docx

Hello All,

For this morning's meeting at 10:30, I have formulated some thoughts to guide our discussion. I have also attached three documents 1) the draft SMS rule language 2) Matt's comments/questions and Ecology's initial responses 3) a figure that illustrates the SMS framework for establishing cleanup standards.

- 1) EPA questions: Discuss the questions Matt posed during his cursory review of the rule language – specifically what EPA considers a WQS. A few terms that may benefit by clarifying with EPA: CSL/MAL (implementation type tool); SQS/SCO (cleanup standard)
- 2) Scheduling a late May/early June meeting with EPA to further discuss these issues:
  - a. Is there an EPA attorney that has both cleanup and water quality experience that can attend with our AAGs?
  - b. Applicability as WQS vs MTCA cleanup standards:
    - i. Certain sections of Part V, such as -570, were previously approved as WQS. If we decided to promulgate only under MTCA, what does that mean for the WQP delegated authority?
    - ii. If we decided to add language to Part V that certain sections only apply under MTCA as cleanup standards, what type of rule language would EPA like to see regarding what is and isn't an approved WQS?
    - iii. Possibly adding a new language to section -500 "Applicability"?
- 3) A few more specifics:
  - a. The issue of "Natural Conditions" under the CWA vs. MTCA's "Natural Background" – are they compatible?
  - b. Option of approving risk based concentrations/risk assessment process (sections 571, 573, 574) vs. background or PQL.

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